IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.132 OF 2006
IN
CRIMINAL APPEAL NO.1040 OF 2005

Dada @ Pandurang Appa Sodmise ...Applicant

Versus

The State of Maharashtra ...Respondent

Shri S.S. Shah for the Applicant.

Shri S.R. Shinde, A.P.P for the Respondent.

CORAM : A. S. OKA, J.

DATE : NOVEMBER 24, 2006.

P.C.:

1. Heard the Advocate for the Applicant and the learned A.P.P for the State. The Appeal preferred by the Applicant against an order of conviction has been admitted by this court. After admitting the Appeal, the Applicant was ordered to be enlarged on bail on same conditions as obtained during the pendency of the trial. One of the conditions incorporated in order dated 16th February, 2004 was that till the conclusion of the trial, the Applicant will not enter taluka Phaltan.

2. It is clear that the said condition was imposed

as the trial was pending. The said condition was imposed to ensure that the Applicant does not tamper with evidence. It is submitted that now it is no longer necessary to have such a condition. It is submitted that the Applicant is the sole earning member of the family and therefore, this condition needs modification.

3. The learned A.P.P while submitting to the orders of the court stated that the Applicant may be directed to the report to the concerned Police Station.

4. Hence, I dispose of the Application by passing following order:

(i) The condition imposed of not entering taluka Phaltan, District Satara is relaxed and the Applicant is permitted to enter taluka Phaltan, District Satara subject to condition that he will report to Phaltan Police Station once in a fortnight till the disposal of the Appeal.

(ii) Application is accordingly disposed of.

JUDGE